

TOWN OF DAVIE
DEVELOPMENT SERVICES DEPARTMENT
PLANNING AND ZONING DIVISION
PLANNING REPORT

December 10, 1998

SUBJECT: Vacation of Right-of-Way VA 7-1-98

APPLICANT: Pasadena at Imagination Farms, Inc., petitioner

ADDRESS/LOCATION: 13601 Orange Drive / Generally located adjacent to the subdivision known as Pasadena at Imagination Farms.

LAND USE PLAN/ZONING: Residential (1 du/ac) / E

REQUEST: To vacate a 50 foot road right-of-way along Orange Drive adjacent to the subdivision platted as "Imagination Farms East".

EXHIBITS TO BE INCLUDED: Vacation application, subject site map, planning report, and aerial.

ANALYSIS: The subject site, located within the Pasadena at Imagination Farms community, is approximately 6.6 acres in area and is a generally 50 foot wide by 5,760 foot long right-of-way designated for Orange Drive running parallel along the southern limits of the "Imagination Farms East" plat. The site is bound on the north by single family residential development zoned E, on the south by Orange Drive, on the west by Boy Scout Road, and on the east by vacant land zoned A-1.

Review of a vacation of right-of-way request involves a determination of whether or not the application will adversely affect access to neighboring properties or will be in contrast with the public interest.

Orange Drive is a Broward County Trafficway requiring an 80' right-of-way corridor. The applicant dedicated 80' by the "Imagination Farms East" plat to satisfy Broward County Trafficway requirements. South Florida Water Management District has executed a quit claim deed to Broward County for a 50 foot wide portion of the South New River Canal from Flamingo Road (SW 124th Avenue) to Boy Scout Road (SW 142nd Avenue). This parcel parallels the subject site, thereby expanding the available right-of-way width. The right-of-way proposed for vacation may now be considered excess as the corridor shifts 50 feet to the south.

All affected agencies have been notified, and no objections to the vacation request have been received at this time. The applicant has voluntarily stipulated that the area proposed for vacation will remain as a landscape bufferyard to the adjacent community and will be used solely for the purposes of landscaping, entry features, and

utilities. As such, the proposed vacation does not adversely affect surrounding properties and may be considered consistent with the public interest.

RECOMMENDATION: The Planning and Zoning Division recommends **APPROVAL** of the requested vacation of right-of-way **SUBJECT TO** verification by Broward County that the Orange Drive right-of-way width remains compliant with the Broward County Trafficways Plan.

PLANNING AND ZONING BOARD RECOMMENDATION: Motion to recommend **APPROVAL**, (5-0), December 9, 1998, **SUBJECT TO** the planning report and petitioner's voluntary agreement to allow a 10 foot wide bridal path adjacent to the pole line [on the north side of Orange Drive].

RECEIVED

JUL 29 1998

TOWN OF DAVIE
PLANNING & ZONING DEPARTMENT

(ALL INFORMATION MUST BE TYPED)

TOWN OF DAVIE
PETITION FOR RIGHT OF WAY
VACATION/ABANDONMENT
(Sec. 14-F of Charter)

VA 7-1-98

DATE FILED: 7/29/98 FEE PAID: \$930.00

I/We, PASADENA AT IMAGINATION FARMS, INC, do solemnly swear that

I/We are the owners of the following described property:

Address: _____

Legal Description: SEE ATTACHED

SAID LANDS SITUATED AND BEING IN THE TOWN OF DAVIE, BROWARD COUNTY,
FLORIDA.

I/We hereby petition the Town of Davie to vacate and abandon the right-of-way adjoining
my/our property, described as:

See attached sketch and description.

Reason for vacation: The existing right of way exceeds the requirements
for the future roadway needs.

I understand that one-half of the property will go to the abutting owner if there is an abutting
owner.

All existing recorded easements should remain in full force and effect.

If the applicant is granted, the applicant will rebuild, at his own expense, all pavements,
sidewalks, drainage installations, utility lines, or facilities as may be required by the Town
Council.

Page 1 of 4

Notices sent: 3

Undeliverable: —

Replies For: — Against: —

VA 7-1-98

I agree to pay all costs - minimum of _____

COMPLETE EXHIBIT "A"

Date submitted to ~~DEVELOPMENT SERVICES~~ 7/29/98

Planning and Zoning Board Meeting date: 10/20/98 10/28/98 - tabled to 11/10/98 (AMP)
11/10/98 - tabled to 12/09/98 (AMP)

Planning and Zoning Board recommendations: 12/09/98 - approval subject to the planning report
and the petitioner's voluntary agreement to allow
a 10 foot wide bridle path adjacent to the pole

Approved _____ Disapproved line AMP with the following comments:

Town Council Public Hearing Date: 1/18/99 tabled to 12/16/98 → 1/20/99 → 2/17/99

Town Council approved _____ or disapproved _____

4/7/99

EXHIBIT "A"

adjacent
This is to certify that I am the owner of the described property; and that I have authorized the filing of the aforesaid request for right of way vacation.
I understand that I or my authorized agent must be present at the public hearing to present the request to the Board.

OWNER'S NAME(S)

PASADENA AT IMAGINATIVE FARMS, INC.

OWNER'S SIGNATURE (ALL OWNERS MUST SIGN)

ADDRESS (CITY, STATE, ZIP)

1000 N. HATFIELD ROAD
PENSACOLA, FL. 33004

PHONE

431-6100

The foregoing instrument was acknowledged before me this 25th day of July, 19 98, by ROBERT MILLER who is personally known to me ~~or who~~ has produced as identification and who did take an oath.

NOTARY PUBLIC:

Sign:

Print:

OFFICIAL NOTARY SEAL
HOWARD J ZIMMERMAN
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC710022
MY COMMISSION EXP. JAN. 22, 2002

My Commission Expires:

THE FOLLOWING MUST BE COMPLETED IF OWNER IS TO BE REPRESENTED BY AGENT.

This is to certify that I am the adjacent owner of the described property; and that I have authorized the filing of the aforesaid request for right of way vacation.
I understand that I or my authorized agent must be present at the public hearing to present the request to the Board.

PASADENA AT IMAGINATION FARMS, INC
OWNER'S NAME(S)

By: [Signature]
OWNER'S SIGNATURE (ALL OWNERS MUST SIGN)

1000 N. HINTUS RD PEMBROKE PINES FL 3304
ADDRESS (CITY, STATE, ZIP)

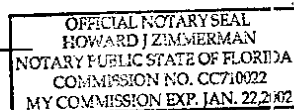
431-6100
PHONE

The foregoing instrument was acknowledged before me this 15th day of July
19 98, by ROBERT MILLER who is personally known to me ~~or who~~
has produced _____ as
~~identification and~~ who did take an oath.

NOTARY PUBLIC:

Sign: [Signature]

Print: HOWARD J ZIMMERMAN

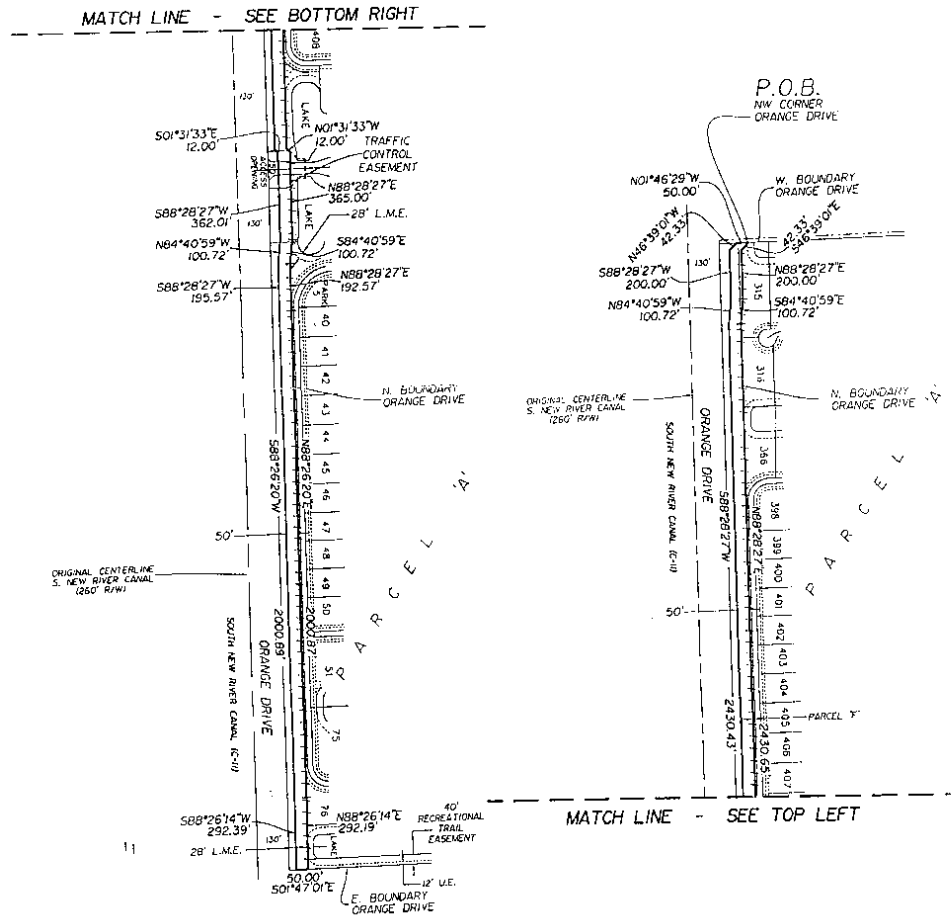
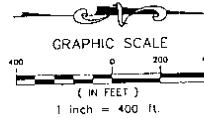


My Commission Expires:

Description :
 A portion of Orange Drive as shown on the Plot of "IMAGINATION FARMS EAST" as recorded in Plot Book 164, Page 23 of the Public Records of Broward County, Florida, described as follows:
 BEGIN at the Northwest corner of said Orange Drive; thence along the Northerly boundary of said Orange Drive, for the following ten (10) courses: (1) South 46°39'01" East 42.33 feet; (2) North 88°28'27" East 200.00 feet; (3) South 84°40'59" East 100.72 feet; (4) North 88°28'27" East 2430.65 feet; (5) North 01°31'33" West 12.00 feet; (6) North 88°28'27" East 365.00 feet; (7) South 84°40'59" East 100.72 feet; (8) North 88°28'27" East 192.57 feet; (9) North 88°26'20" East 2000.87 feet; (10) North 88°26'14" East 232.19 feet to the Easterly boundary of said Orange Drive; thence along said Easterly boundary, South 01°47'01" East 50.00 feet; thence South 88°26'14" West 292.39 feet; thence South 88°26'20" West 2000.89 feet; thence South 88°28'27" West 195.57 feet; thence North 84°40'59" West 100.72 feet; thence South 88°28'27" West 362.01 feet; thence South 01°31'33" East 12.00 feet; thence South 88°28'27" West 2430.43 feet; thence North 84°40'59" West 100.72 feet; thence South 88°28'27" West 200.00 feet; thence North 46°39'01" West 42.33 feet to the Westerly boundary of said Orange Drive; thence along said Westerly boundary, North 01°46'29" West 50.00 feet to the POINT OF BEGINNING.
 Said lands situate, lying, and being in the Town of Davie, Broward County, Florida and containing 285590 square feet (6.556 acres) more or less.

NOTES:

1. P.O.B. = Point of Beginning
2. L.M.E. = Lake Maintenance Easement
3. R/W = Right of way
4. U.E. = Utility Easement
5. - - - - - = Non-vehicular access line

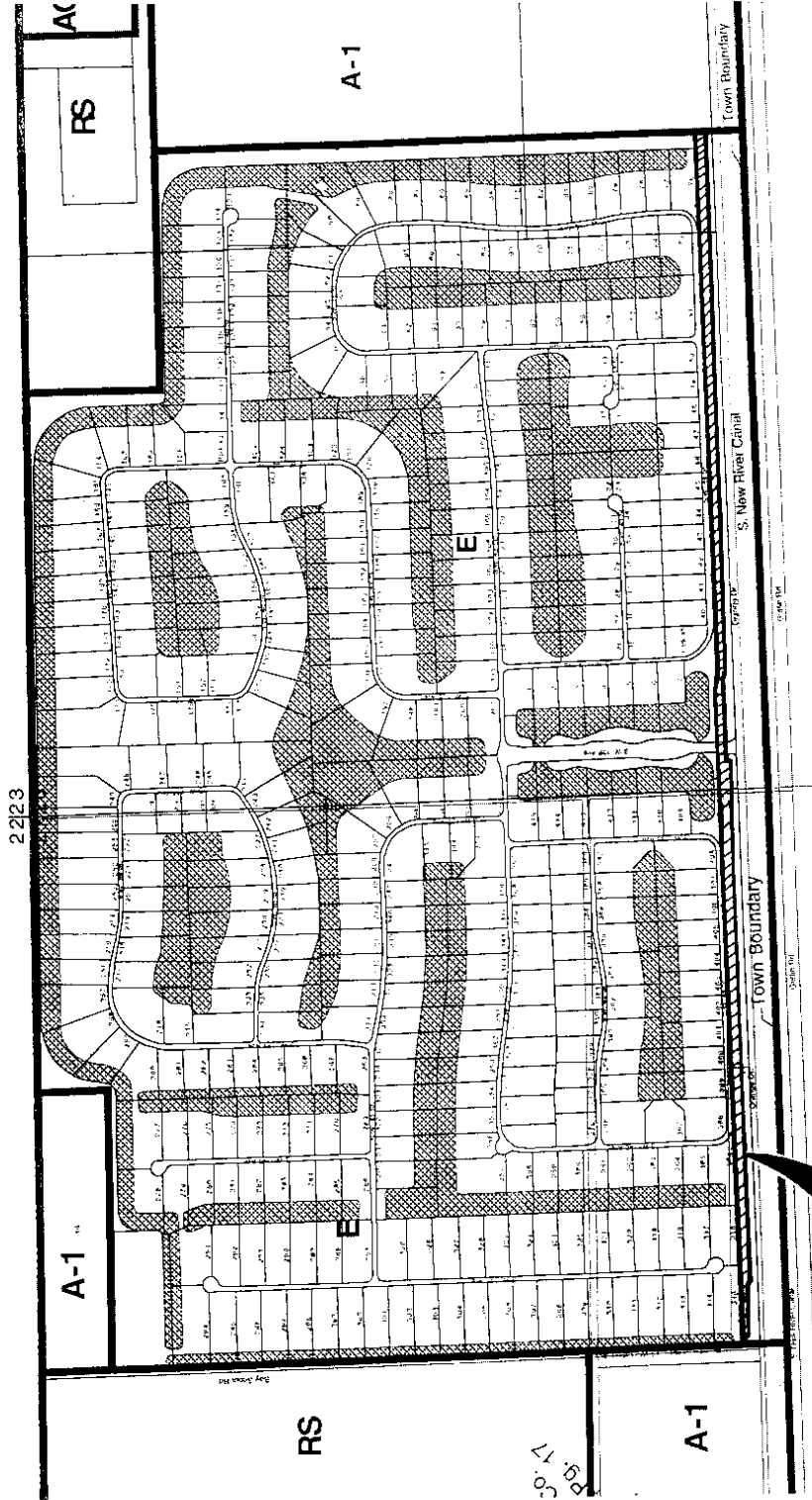


SKETCH AND DESCRIPTION

THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY

CERTIFIED TO: H.J. ZIMMERMAN ENGINEERS • PLANNERS LAND SURVEYORS ENVIRONMENTAL PROFESSIONALS 1800 N. DOUGLAS ROAD, SUITE 200 PENSACOLA, FLORIDA 32504 (904) 438-7000 FAX (904) 437-2958 CERT. OF AUTHORIZATION L.S. 9508		I HEREBY CERTIFY THAT THIS SKETCH MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 610-7-B, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 410.007, FLORIDA STATUTES. DATED THIS 30th DAY OF JUNE 1998 A.D. JOHN A. LEGG PROFESSIONAL SURVEYOR AND MAPPER STATE OF FLORIDA REGISTRATION NO. 2805 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER
DATE: _____ REVISIONS: _____ DRAWN BY: PSS CHECKED BY: JAP	PROJECT NO: 5588-06 SHEET NO:	

V:\DWG5\501\27-50-40\5588-06\8006.dwg
 Tue 06/30/98 11:13a



PETITION NUMBER
 VA 7-1-98
 PREPARED 8/17/98
 BY THE PLANNING &
 ZONING DIVISION
 Scale: 1"=700

SUBJECT
 SITE

Not in the Town of Davis